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SUBJECT: OMBUDSMAN KEEPS UP DISAPPROVAL OF HUMAN RIGHTS SITUATION IN ARMENIA

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REF:

(U) Sensitive but unclassified. Please protect accordingly.

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SUMMARY  
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¶1. (SBU) Armenia's government Human Rights Defender (Ombudsman) Armen Harutyunian criticized the GOAM's recent conduct, in a March 27 interview with the Russian Regnum news agency. The ombudsman condemned continued restrictions on and violence against journalists, reported on his staff's prison visits, and criticized the recent legislation restricting public rallies. However, he said he would not appeal to international/European human rights bodies, saying he did not wish to contribute to instability. END SUMMARY.

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ATTACKS ON JOURNALISTS - THE NEW ROUTINE  
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¶2. (SBU) The ombudsman condemned instances of violence against journalists and said the restrictions on media functions have become a part of the country's political culture. He noted that so far there has not been a single case in which those responsible for hindering journalists' activities were punished. Harutyunian decried what he called a widespread problem of cell phones, cameras, tape recorders and film being confiscated from reporters, as well as journalists being forbidden to photograph or film events. He said that unfortunately his office lacks sufficient staff to react efficiently to every incident.

¶3. (SBU) Harutyunian described as outrageous the case of violence against reporters in Hrazdan (Vanatur), where locals have been holding rallies since March 24 to protest the arrest of local member of parliament Sasun Mikaelian. On March 25 at the scene of the protest the police forcibly shoved a journalist (Karine Harutyunian from opposition Zhamanak Yerevan daily) into a car and took her to the police station, where they forced her to delete the photos from her digital camera. Police released her only after the ombudsman arrived on the scene. Two other journalists, from the sharply oppositional Chorrord Ishkhanutyun daily, had sought refuge in the homes of local residents to hide from police, out of concern that their own cameras would be seized. The ombudsman's staff went to pick up these two journalists from Hrazdan, and escorted them back to Yerevan.

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OUTSPOKEN BUT STILL MODERATE

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14. (SBU) Responding to a Regnum question, the ombudsman said that he had every moral right to apply to the international community regarding the media situation in the country. However, he will not do that since he understands the difficulties of democratic transition of post-Soviet countries. He prefers to find domestic solutions to Armenia's democratic challenges. The ombudsman added that he would not like to become a "detonator" of international pressure towards Armenia.

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PEOPLE'S PROTEST WITHIN THE LAW  
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15. (SBU) Talking about the "political promenades" of people critical of the government in downtown Yerevan, which are accompanied by daily police detentions, the ombudsman said that those events represent a public attempt to express protest within the framework of the law. While his office does not get involved in politics and the reasons for these promenades, his mandate is to see that the rights of the detained are respected and they are not held more than the three hours allowed by the law, which is not always the case. In reference to the increased limitations on freedom of assembly that were hastily adopted by the parliament during the state of emergency, the Ombudsman did not question the content of the new legislation, but expressed concern about arbitrary implementation of the law.

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PRISON VISITS  
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16. (SBU) He also reported that his staff had visited 90 of the 106 persons declared officially to have been arrested in connection with the March 1-2 events. Twelve of those interviewed reported to the ombudsman's staff that law enforcement personnel abused or beat them

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during or after arrest.

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COMMENT  
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17. (SBU) We continue to welcome the recent burst of conscientiousness from the ombudsman. While he may yet fall somewhat short of what we might consider ideal, it is refreshing finally to see Harutyunian taking firm advocacy stands against official abuses, something which we had never seen prior to the recent post-election events. He is, after all, fulfilling his duty as mandated by the constitution.

PENNINGTON